

FILED

DISTRICT COURT OF GUAM DISTRICT COURT OF GUAM

FEB 27 2003

MARY L. M. MORAN
CLERK OF COURT

TERRITORY OF GUAM

Tony H. ASHTIANI

P.O. Box 12723

TAMUNING GUAM 96931

671-653-5575

TONY H. ASHTIANI

Plaintiff,

vs.

CONTINENTAL MICRONESIA, INC.,

dba CONTINENTAL AIRLINES, INC.

Defendants.

Civil Case No.: 02-00032

PLEADING

On November 14, 2002, the plaintiff filed a complaint against the defendant, On December 26, 2002, The District Court of Guam "referred" to as Court hereon forth issued a notice of scheduling to the plaintiff, The envelope which contained the notice was certified mail. Post stamp dated JANUARY 26, 2003, in Agana Guam, The Court envelope then proceeded on to Honolulu Hawaii, it returned from Honolulu On December 31, 2002,

Exhibit A.

Plaintiff became notified of USPS Notice on JAN 07, 2003, after business hours of certified mail, on JANUARY 08 2003, plaintiff signed for the envelope and became aware of the contents and had

1 first hand knowledge of the **scheduling notice** from the Court
2 ,plaintiff focused on the clause of the LR 16.1 and 16.2 hereby
3 ordered line 21 and 22 "but no later than sixty (60) days after
4 the filing of the complaint, Exhibit B.

5
6 plaintiff received the notice on 58TH day and only two days to
7 serve the defendant with the complaint and summonses, Plaintiff
8 served the defendants on 59th day in good faith, which left
9 defendants with 1 day to answer the complaint, it is note worthy
10 to state plaintiff had explained the circumstances to the deputy
11 clerk of the court, See Fed.R.Civ.P.4(b) "if the summons is in
12 proper form , the clerk shall sign, seal, and issue it to the
13 plaintiff for service on the defendant". Fed.R.civ.P 4(c)(1) "A
14 summons shall be served together with a copy of the complaint".
15 Plaintiff had followed the L.R in conjunction with Fed.R.Civ.P.
16 Plaintiff then served the defendant by Certified special process
17 server.

18
19 On January 10, 2003, plaintiff was informed by the Deputy Clerk
20 of the Court to return the summonses that was previously served
21 on Jan 09,2003, and pickup the AMENDED SUMMONSES which Court had
22 prepared and stamped for the plaintiff to serve upon the
23 defendants. plaintiff had noted the word "against" Missing a "t"
24 and unlike original summons was the last word of line two, this
25 was accomplished by intentional double spacing of the line Which

1 contained the word "agains". It is note worthy that "agains" is
2 plural of **again** WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY
3 Volume I, again,2: another time, once more 2:b in the next
4 place, 3:again and again.

5
6 Plaintiff further investigated this matter and learned that the
7 format also altered. Subsequently it is reasonable to state
8 plaintiff had received a document that served him as unequal
9 hand by a public officials.

10
11 Plaintiff asserts that the Court had administrated numerous
12 disparate treatment, also deprived plaintiff of the use of the
13 library at the Court, plaintiff was told ,he must be escorted by
14 the security personnel and that security had to stay with the
15 plaintiff during the research .the defendants request is
16 reasonable means of familiarizing himself with the federal
17 procedures and review samples of pre,se litigants filings. as
18 well as attorney's filings as territorial law library only
19 contains limited D&Os. The documents which interests plaintiff
20 are public records , plaintiff shall not be denied such a basic
21 request and assistance. Plaintiff further requests use of open
22 court as a speculator to take notes and also observe scheduling
23 and discovery conferences by professionals .

1 Plaintiff is not of any security threat to the federal court due
2 to his nationality or ethnicity by any means and his requests
3 are within the scope of the law.
4

5 Plaintiff asserts that his obligations of serving the summonses
6 has been executed under the provision of the law by factual
7 evidence and that defendant defaulted to answer the complaint,
8 Plaintiff had no intention of serving the defendants with any
9 amended summonses again and again , accordingly he pleaded for
10 assistance off island , plaintiff was told that the notation has
11 been made in comparative worth and differences to the document,
12 Plaintiff stated to Deputy Clerk of the Court that this original
13 document is Off -island on or about FEBURARY 05,2003, and is
14 unaware of the status.

15 Plaintiff is in process of compliance to the ORDER which was
16 received on February 24th 2003.
17
18
19

20 dated this 27th day of February,
21 2003

22
23 Tony H. Ashtiani

24 
25

UNITED STATES DISTRICT COURT
DISTRICT OF GUAM
4TH FLOOR, U.S. COURTHOUSE
520 WEST SOLEDAD AVENUE
HAGATNA, GUAM 96910
OFFICIAL BUSINESS

CERTIFIED MAIL

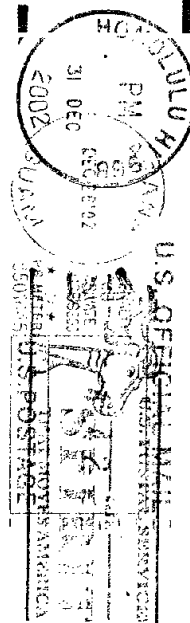


7000 0520 0021 6807 9315

ASHTIANI, TONY
P.O. Box 12723
Tamuning, GU 96931

*Received Jan 8/03
at 15:50*

96931+2723



MAILED JAN 06 2003
1st Notice
2nd Notice
Return 21 JAN

EXHIBIT "A"

FILED
DISTRICT COURT OF GUAM
DEC 26 2002
MARY L. M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

TONY H. ASHTIANI,
Plaintiff,

vs.

CONTINENTAL MICRONESIA, INC., dba
CONTINENTAL MICRONESIA, and
CONTINENTAL AIRLINES, INC.,
Defendants.

Civil Case No. 02-00032

SCHEDULING NOTICE

TONY ASHTIANI, Pro Se
P.O. Box 12723
Tamuning, GU 96931

The Local Rules establish procedures for complying with Rules 16(b) and 26(f) of the Federal Rules of Civil Procedure. Counsel should study the Local Rules before attempting to process cases in this Court.

Pursuant to Local Rules 16.1 and 16.2, it is hereby ORDERED that:

1. Counsel of record and all pro se litigants that have appeared in the case must meet and confer, within fifteen (15) days after receipt of this Notice, but no later than sixty (60) days after the filing of the complaint, prior to commencing discovery.

2. A proposed Scheduling Order and a proposed Discovery Plan shall be filed on or before the 28th day of January, 2003. Careful and immediate attention should be given to the directions in Local Rules 16.1 and 16.2 to ensure complete and timely compliance